



# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 07/24/01

AGENDA ITEM 11a

WORK SESSION ITEM       

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Adoption of Cannery Area Design Plan and Related Amendments to the General Plan and Zoning Ordinance, Certification of Final Environmental Impact Report, and Adoption of Mitigation Monitoring and Reporting Program – The Cannery Area is Located Generally Along Both Sides of the Union Pacific Railroad Tracks, North of Winton Avenue and West of Grand Street

### **RECOMMENDATION:**

The Planning Commission (6-1) and staff recommend that the City Council adopt the following recommendations:

1. Certify the Final Environmental Impact Report;
2. Adopt the Mitigation Monitoring and Reporting Program;
3. Adopt the General Plan Amendment No. 01-110-03;
4. Adopt the Special Design (SD-4) District Text Change No. 01-140-01;
5. Adopt the Zone Change No. 01-190-04; and
6. Adopt the Cannery Area Design Plan.

### **BACKGROUND:**

Pursuant to action taken by the City Council on June 27, 2000, staff has worked with the firm of Solomon E.T.C. and area property owners and residents to develop a Design Plan for the Cannery Area. The Cannery Study Area, which comprises approximately 120 acres, includes three distinct older industrial areas bordering the Burbank Neighborhood (see Attachment A). As directed by the City Council, the objective was to formulate a broad-brush, conceptual design that provides a vision for the study area and illustrates how future redevelopment of the area could be integrated with the surrounding neighborhoods. The adopted Design Plan will provide a framework for reviewing private sector development proposals and public agency capital improvements and related activities.

On July 27, 2000, the City sponsored an initial public workshop for area residents, businesses and property owners in order to provide an overview of the planning process and to solicit input on opportunities and challenges within the study area. Based on comments at that meeting, as well as comments from a subsequent meeting with area businesses and commercial property owners, the consultants prepared a series of preliminary conceptual design alternatives for Area 2. In keeping with the City Council desire for creativity in the development of alternatives, some of the preliminary alternatives challenged the status quo by suggesting the possibility of relocating

Burbank School and/or Cannery Park within the study area in order to allow for more intense development around the Amtrak Station.

These conceptual alternatives were reviewed with representatives of the major commercial property owners in this area, as well as staff from the Hayward Area Recreation and Park District and the Hayward Area Unified School District. Separate study sessions were also held with the elected boards of both districts to provide an opportunity for their review of the design alternatives. Both boards expressed a strong desire to retain the present locations of the school and the park and explore alternatives that consider possible expansion of those sites.

On October 4, 2000, the preliminary alternatives were presented at a second public workshop. Based on comments at that meeting, as well as subsequent discussions with property owners and HUSD and HARD staff, additional alternatives were developed for further consideration. The evolution of the various alternatives is described through illustrations in the Cannery Area Design Plan.

Following further discussion and numerous revisions, the consultants formulated a Preferred Design Concept that incorporated desired design elements while reflecting various physical site constraints. On December 12, 2000, the City Council selected the Preferred Design Concept (see Attachment B) as the basis for further analysis of possible environmental impacts and the preparation of proposed amendments to the General Plan and Zoning Ordinance.

## **PROJECT DESCRIPTION:**

The proposed project involves a series of related actions to incorporate elements of the Cannery Area Design Plan into the City's General Plan, Zoning Ordinance, and other design standards and regulations. These actions are outlined below:

**General Plan Amendment No. 01-110-03.** The **General Plan Amendment** would change existing General Policies Plan Map designations in portions of Area 2 and Area 3. The Mixed Industrial designation in Area 2 would be changed to a combination of High Density Residential, Medium Density Residential, Public/Quasi-Public, and Open Space/Parks and Recreation designations, or other designations, as appropriate. The proposed amendment would also reconfigure the existing High Density Residential and Retail and Office Commercial designations within Area 3. No changes in designations are proposed in Area 1 (see Attachments C and D).

**Zone Change No. 01-190-04.** The **Zone Change** would revise existing zoning classifications in portions of Area 2 and Area 3 to conform to the new General Policies Plan Map designations. Properties in Area 2 that are currently within the Industrial (I) District would be rezoned to the Residential-High Density (RH) District, Residential-Medium Density (RM) District, Public Facilities (PF) District, and Open Space (OS) District, or other districts, as appropriate. Properties in Area 3 would be rezoned to the Residential-High Density (RH) District, Central City-Residential (CC-R) District, and Central City-Commercial (CC-C) District, or other districts, as appropriate. In addition, a new Special Design (SD-4) District would be applied to all properties within the Study Area (see Attachments E and F).

**Text Change No. 01-140-01.** The Zoning Ordinance **Text Change** would establish the Cannery Area Special Design (SD-4) District to be applied to all properties within the Study Area (see Attachment G).

**Cannery Area Design Plan.** Adoption of the **Cannery Area Design Plan** would establish land use densities, design guidelines and development standards, including street cross-sections, for specific portions of the Cannery Study Area.

## **DISCUSSION:**

The Cannery Area Design Plan establishes a framework for the transformation of an older, industrial area in the heart of the city into a new neighborhood containing a mix of housing densities, retail and office commercial, a new school and community center, and expanded parks and recreational facilities. The Cannery Study Area comprises approximately 120 acres and is located west of the Downtown area. The Study Area includes three distinct subareas: Area 1 is generally bounded by West A Street, Hathaway Avenue, Mero Street, and the Union Pacific railroad tracks; Area 2 is generally bounded by A Street, Amador Street, Winton Avenue, and the Myrtle/Meek/Filbert alignment; Area 3 is generally bounded by Grand Street and those properties along both sides of C Street, Alice Street and Claire Street. Please refer to the attached map of the Study Area.

The Cannery Area Design Plan envisions a mix of residential and commercial uses, as well as new or expanded public facilities, including schools, parks and a community center. Most of the acreage designated for residential development is in Area 2, with some additional development shown in Area 3. The potential for additional housing development within the study area is 805-962 dwelling units, including live-work units. Overall densities range from 10-30 units per net acre and include a variety of housing types: single-family detached, single-family attached (townhomes), multifamily (condominiums and apartments), and live-work spaces. The basic layout is a block grid pattern that blends with the adjacent neighborhood. The Design Plan also designates several areas for retail and office commercial development. In Area 1, additional retail development is envisioned when existing manufacturing uses are no longer viable. A small amount of neighborhood-serving retail space is shown in Area 2. In Area 3, office development (maximum of 200,000 square feet) is shown adjacent to the BART Station.

The Design Plan also envisions the total acreage devoted to open space and public facilities increasing from 26 acres to 29.5 acres. Within this total, Cannery Park and Burbank School together would occupy approximately 15 acres, with another 2 acres identified as a potential site for a new community center. The Design Plan also illustrates how Centennial Park could be made more visible and accessible through improved street and pedestrian connections with adjacent neighborhoods; however, this aspect is not being pursued by the Hayward Area Recreation and Park District at this time. Additional open space is provided in Area 2 with a square oriented around the water tower and linear parkways connecting the two parks, all serving the adjacent residential development. It is anticipated that the new housing within the study area would generate approximately 170-200 additional students at the K-6 grade levels. The Design Plan contemplates the construction of a new, two-story elementary school (approximately 60,000 square feet) to accommodate the enrollment.

### Development Summary

<u>Land Use</u>	<u>Acreage</u>	<u>Development Potential</u>
Residential	35.9	695 - 824 units
<i>Single-Family</i>	7.2	76 - 102 units
<i>Townhomes</i>	23.4	486 - 561 units
<i>Multi-Family</i>	5.3	133 - 161 units
Live/Work	5.5	110 - 138 units
Live/Work	4.5	67,000 square feet
Commercial/Office	7.9	200,000 square feet
Commercial/Retail	36.5	250,000 square feet
Open Space/Public Facilities	29.5	community center/ school/parks

### **CONSISTENCY WITH THE GENERAL PLAN:**

The Cannery Area Design Plan furthers many of the land use, housing, and open space policies contained in the General Plan. The most relevant policies are summarized here. Land use policies promote the conversion of older industrial areas to other uses, including residential and commercial uses, when existing uses are no longer viable or existing facilities become obsolete. Housing policies encourage the conversion of older commercial and industrial areas for housing purposes and promote higher residential densities within one-half mile of transit stations such as BART and Amtrak. Open Space policies call for additional parkland and recreational facilities in underserved areas, improved linkages between existing facilities, and consideration of smaller parks and open areas in more urbanized neighborhoods.

### **ISSUES AND CONCERNS:**

Concerns with various features of the proposed Cannery Area Design Plan have been expressed at community meetings, public hearings, and work sessions, as well as in written correspondence submitted on the Draft Environmental Impact Report. Comments that are relevant to aspects of the Design Plan are discussed below.

Design Concept. Some of the property owners have expressed concern that the types of housing proposed reflect the higher density, compact development found in more urban centers rather than the lower density, suburban development found in many other parts of Hayward and southern Alameda County. The property owners also expressed concern that the proposed grid block pattern results in too many streets and increases development costs. While understanding of these

concerns, staff and the consultants believe that the Cannery Area presents a real opportunity to implement the principles of transit-oriented development and anticipate the changes in market demand for this type of housing in Hayward and surrounding communities, and at the same time, integrate significant infill development within the fabric of existing neighborhoods.

Zoning Changes. Several property owners have expressed concerns about the impacts on their existing business operations. Of the three major industrial uses within Area 2, one announced closure of its facility at the end of 2000, one has several uses with leases that expire in the next year or two, and the third property has a use with a longer-term lease. Some property owners are concerned that the rezonings, which make their existing operations legal non-conforming uses, limit their options to market these properties for industrial use. Other concerns relate to potential adverse impacts that might result from new residential uses abutting remaining industrial uses, assuming that implementation of the Design Plan occurs over a number of years. It should be noted that residents in the surrounding neighborhood have had to deal with conflicts with the current industrial operations for many years. It is a goal of the Design Plan to eliminate these conflicts.

With regard to Area 1, no change in the base zoning is proposed. However, some property owners expressed concern about the impacts of the provisions of the Special Design (SD-4) District on their property. Consequently, staff has restated the existing language in the Zoning Ordinance regarding industrial uses that abut residential districts. Additional language has also been added to clarify the purpose of the district.

Land Use Pattern. Concerns have been expressed during the work sessions about the planned densities of residential development proposed in the Design Plan. For purposes of the alternatives analysis, the Draft EIR analyzed two alternatives that included reduced densities on four blocks in the central portion of Area 2 around Water Tower square. Other concerns have been expressed about the flexibility in the Design Plan to allow for more office commercial development within the study area. Blocks along Winton Avenue have been mentioned as possible locations for this type of development. For purposes of the alternatives analysis, the Draft EIR analyzed two alternatives that included office commercial on these blocks.

Retail Commercial. At various public meetings and in the work sessions, the concern has been expressed that more neighborhood-serving retail commercial should be specifically identified in the Design Plan and in the zoning pattern. Suggested locations, in addition to the northwest and southeast corner blocks of Area 2 that are already designated in the Design Plan, include the blocks that border Water Tower square. The types of retail uses mentioned would generally serve the more frequent needs of local residents and should not generate significant additional automobile traffic from outside the project area. However, it should be noted that one of the continuing objectives in this planning effort has been to support existing commercial uses in the Downtown and adjacent areas along A Street and Jackson Street. In addition, the amount of residential development in the study area, even at the densities proposed, may not generate sufficient support for the types of retail uses envisioned. Given the City's intent to issue a Request for Proposals for a master developer for Area 2, it may be prudent to postpone consideration of this issue in the event that process results in suggestions for further changes in the amount and type of commercial development shown in the plan.

Live-Work Areas. The proposed zoning changes generally reflect the proposed General Plan designations. For example, the Residential-High Density (RH) District has been applied to those areas designated for High Density Residential development, including the blocks reserved for live-work development. However, the RH District does not permit this type of use. At the present time, live-work projects are permitted only in the Central City (CC-C and CC-R) Districts, which also allow a number of other uses that would not be appropriate in the Cannery Area. For these reasons, it may be preferable to consider modifications to the RH District in order to reflect the intent of the Cannery Area Design Plan. Staff will be processing proposed modifications to the RH District that would allow for live-work developments with approval of a conditional use permit.

## **ENVIRONMENTAL REVIEW:**

An Environmental Impact Report (EIR) on the proposed project has been prepared pursuant to the California Environmental Quality Act (CEQA) and City implementing guidelines (see Attachment I). The Notice of Preparation of an EIR was distributed on March 16, 2001. During the course of preparing the EIR, several technical studies were completed, including an analysis of traffic impacts and a Phase I hazardous materials assessment. The Draft Environmental Impact Report (DEIR) was released on May 11, 2001. The official review period extended through June 27, 2001.

The Draft Environmental Impact Report provides a description of the environmental setting, identifies environmental impacts, and lists mitigation measures that could reduce potentially significant impacts to less-than-significant levels. The DEIR identifies potentially significant impacts in the following areas: air quality, wetland and riparian habitat, archeological and historic resources, seismic hazards, hazardous materials and groundwater contamination, flooding, displacement of housing and businesses, noise and ground vibration, parks, and schools. A Summary of Environmental Impacts and Mitigation Measures is provided in Table 1 of the DEIR. All of the impacts identified as potentially significant could be reduced to less-than-significant levels through implementation of the recommended mitigation measures. It should be noted that this is a Program DEIR in that it addresses general impacts and potential mitigation measures, and recognizes that further environmental reviews may be necessary for subsequent specific development projects.

The Draft EIR also discusses several alternatives to the proposed Design Plan and presents a qualitative comparison of the potential impacts of these alternatives with those of the proposed Design Plan. Alternative 1 (No Project) assumes that the Design Plan and related actions are not approved, leaving intact the existing industrial General Plan designations and zoning classifications. This alternative assumes that existing buildings and land uses would remain in their respective current conditions and no development of any kind would occur. As a result, there would be no significant increase in on-site employment or production of additional housing units. The other alternatives reflect variations on the land use pattern within Area 2 as envisioned in the Design Plan. Alternative 2 (Housing and Commercial Office) emphasizes office uses rather than residential development in selected blocks. While this alternative would provide for more employment opportunities, it would reduce the potential for new housing and inhibit the city's ability to meet its housing needs and improve the local jobs/housing balance. Alternative 3 (Medium/High Density Residential) would lower residential densities in selected blocks. While this alternative, as well as Alternative 2, would lessen the impact on school enrollment capacities, it would also reduce the

potential for new housing and inhibit the city's ability to meet its housing needs and improve the local jobs/housing balance. Alternative 4 (Combination of Alternative 2 and Alternative 3) would generate impacts associated with both of those alternatives. As a result, this alternative would have the least impact on school enrollments yet also create the least potential for additional housing units that could assist the city in meeting its housing need goals and improving the local jobs/housing balance. While the No Project Alternative is identified in the DEIR as the environmentally superior alternative, it fails to meet any of the project objectives. The other alternatives, whose environmental impacts are not significantly less than the proposed Design Plan, inhibit the potential to achieve greater housing densities in close proximity to transit stations and hinder the city's efforts to create a more favorable jobs/housing balance.

Following the close of the official review period, a Final Environmental Impact Report (FEIR) was prepared that incorporates all oral and written comments on the DEIR and responses to those comments, including revisions to the DEIR as appropriate (see Attachment J). The City must certify the adequacy of the Environmental Impact Report prior to taking formal action on the proposed project. A Mitigation Monitoring and Reporting Program has also been prepared that identifies the responsible agency and overall timeframe for implementation of the proposed mitigation measures (see Attachment K).

#### **PLANNING COMMISSION RECOMMENDATIONS:**

The Planning Commission held a public hearing on this matter on July 12, 2001. The Commission has recommended that the City Council certify the Environmental Impact Report, adopt the Cannery Area Design Plan and related amendments to the General Plan and Zoning Ordinance, and adopt the Mitigation Monitoring and Reporting Program.

Comments during the public hearing focused on several issues. A concern was expressed that the Draft EIR did not adequately address existing conditions and potential impacts such as displacement of current businesses. A ConAgra representative stated that the Design Plan included too much open space and too many streets. Several speakers noted state redevelopment law requires that affected property owners be provided an opportunity to participate in redevelopment projects; staff responded that the Redevelopment Agency will be asked to authorize a Request for Proposals process in conjunction with approval of the Cannery Area Design Plan. One speaker expressed concern about the continued viability of the unsightly warehouses along Hathaway Avenue. Another speaker requested that Centennial Park be excluded from the Design Plan. Comments expressed by individual commissioners during their discussion included desires for lower residential densities, shifts in the location of live-work spaces, commercial office uses on blocks next to Winton Avenue, retention of open space at Centennial Park, identification of bikeways, additional parking at the Amtrak station, and shuttle service to the BART station. Draft Planning Commission Minutes are attached as Exhibit M.

With regard to the text of the proposed Special Design (SD-4) District, the Planning Commission accepted the staff recommendation to delete subsection (b) Expansion or Alteration of Existing Uses, since comparable language is already contained in the Zoning Ordinance under the provisions for reviewing permitted Administrative Uses in the Industrial (I) District. Staff has inserted this language into subsection (b) of the Special Design (SD-4) District to clearly reflect the City's intent (please refer to Exhibit G).

## PUBLIC NOTICES:

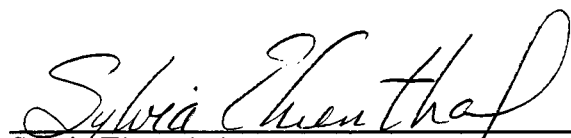
Notice of the public hearing was published in the Daily Review, a newspaper of general circulation in the Hayward area. In addition, notices of the public hearing were mailed to all property owners and residents in the study area, all property owners and residents within 300' feet of the study area, and all interested parties included on the Cannery Study Area mailing list.

Prepared by:



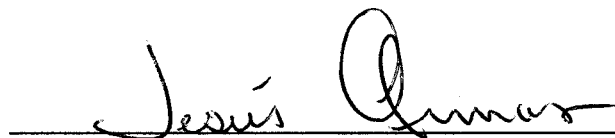
Gary Calame, AICP  
Senior Planner

Recommended by:



Sylvia Ehrenthal  
Director of Community and Economic Development

Approved by:

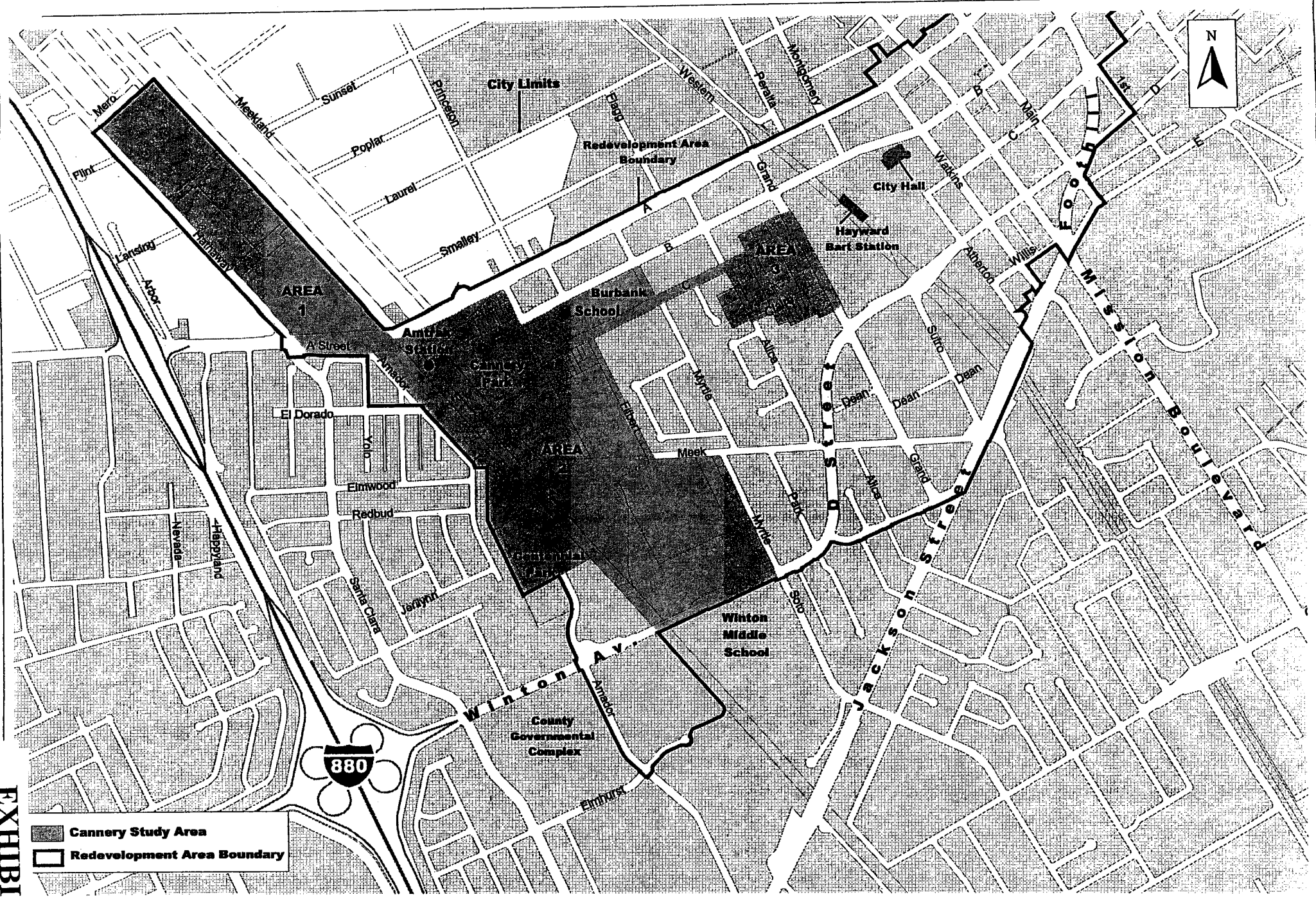


Jesús Armas, City Manager

### Attachments:

- |           |                                                                                                                                                                            |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit A | Map of Cannery Study Area                                                                                                                                                  |
| Exhibit B | Cannery Area Design Plan Final Report (previously distributed)                                                                                                             |
| Exhibit C | Existing General Plan                                                                                                                                                      |
| Exhibit D | General Plan Amendment                                                                                                                                                     |
| Exhibit E | Existing Zoning                                                                                                                                                            |
| Exhibit F | Zone Change                                                                                                                                                                |
| Exhibit G | Zoning Text Change (Special Design SD-4 District)                                                                                                                          |
| Exhibit H | Findings for Certification of the Final Environmental Impact Report, Adoption of the Cannery Area Design Plan, General Plan Amendment, Zoning Text Change, and Zone Change |
| Exhibit I | Draft Environmental Impact Report (previously distributed)                                                                                                                 |
| Exhibit J | Final Environmental Impact Report                                                                                                                                          |
| Exhibit K | Mitigation Monitoring and Reporting Program                                                                                                                                |
| Exhibit L | Written Correspondence (received after June 27, 2001)                                                                                                                      |
| Exhibit M | Draft Planning Commission Minutes of July 12, 2001                                                                                                                         |
|           | Draft Resolution(s) and Ordinance(s)                                                                                                                                       |





**Cannery Study Area**

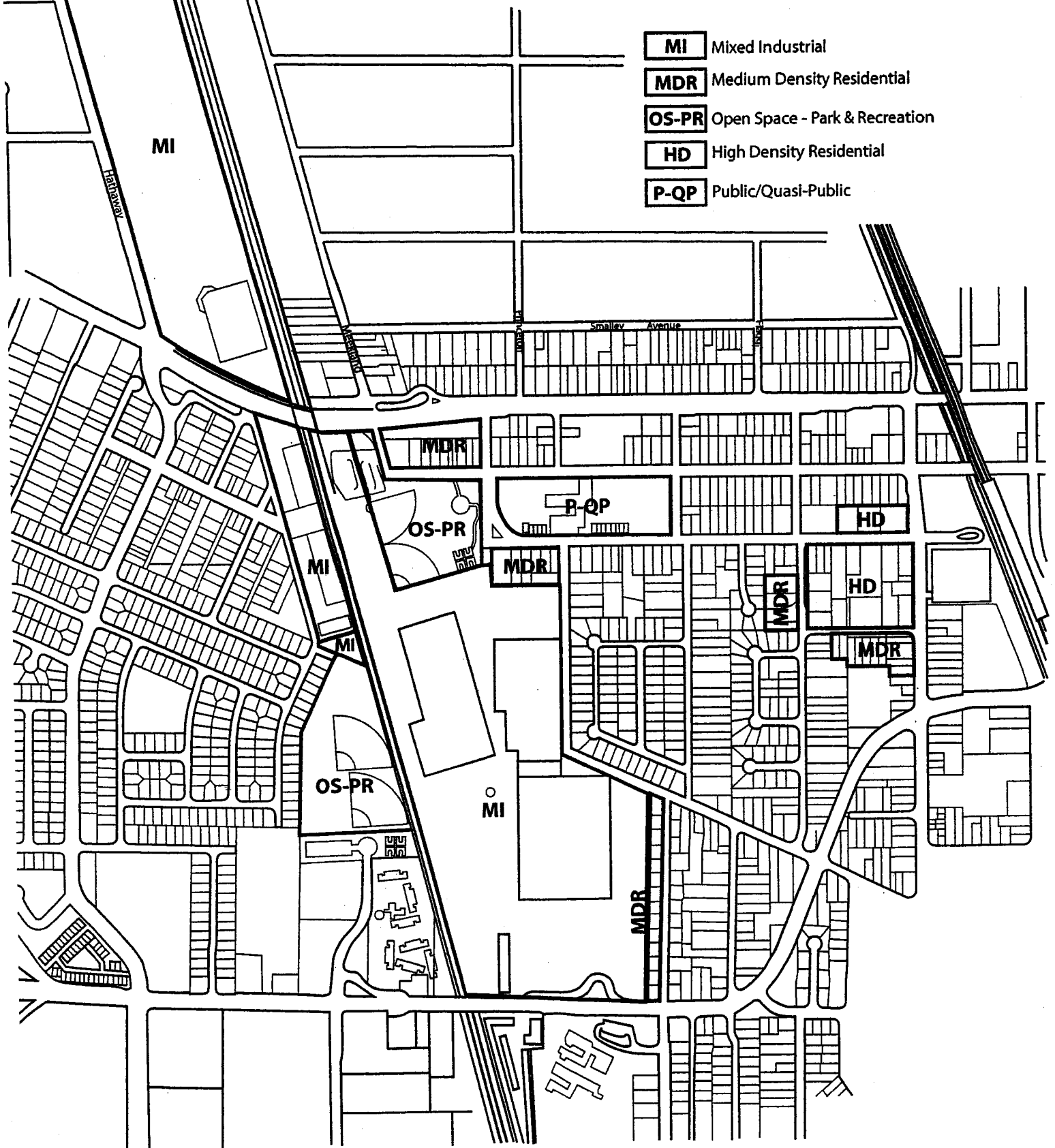


**CANNERY AREA DESIGN PLAN FINAL REPORT  
(PREVIOUSLY DISTRIBUTED TO THE CITY COUNCIL)**

**EXHIBIT B**

# Existing General Plan

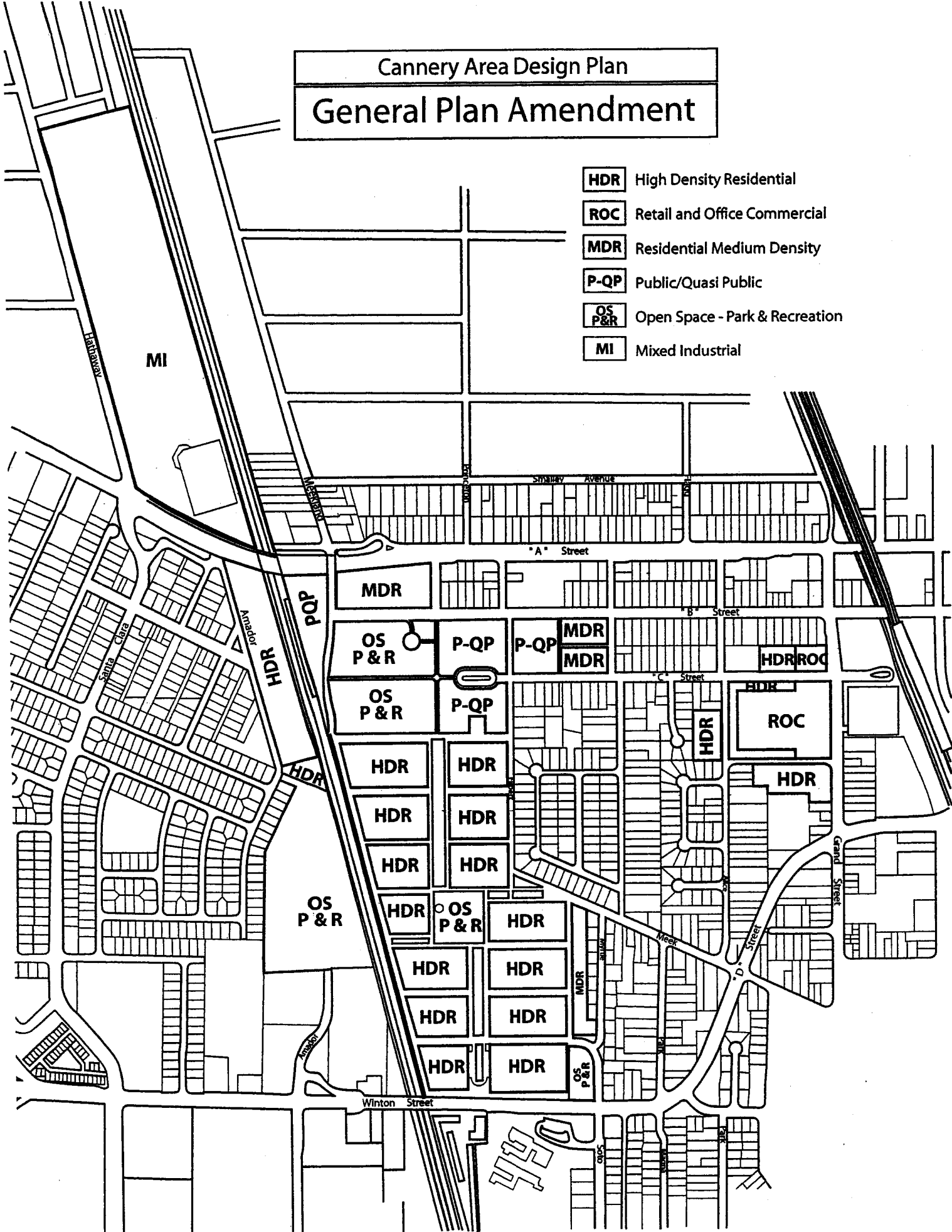
- MI** Mixed Industrial
- MDR** Medium Density Residential
- OS-PR** Open Space - Park & Recreation
- HD** High Density Residential
- P-QP** Public/Quasi-Public



# Cannery Area Design Plan

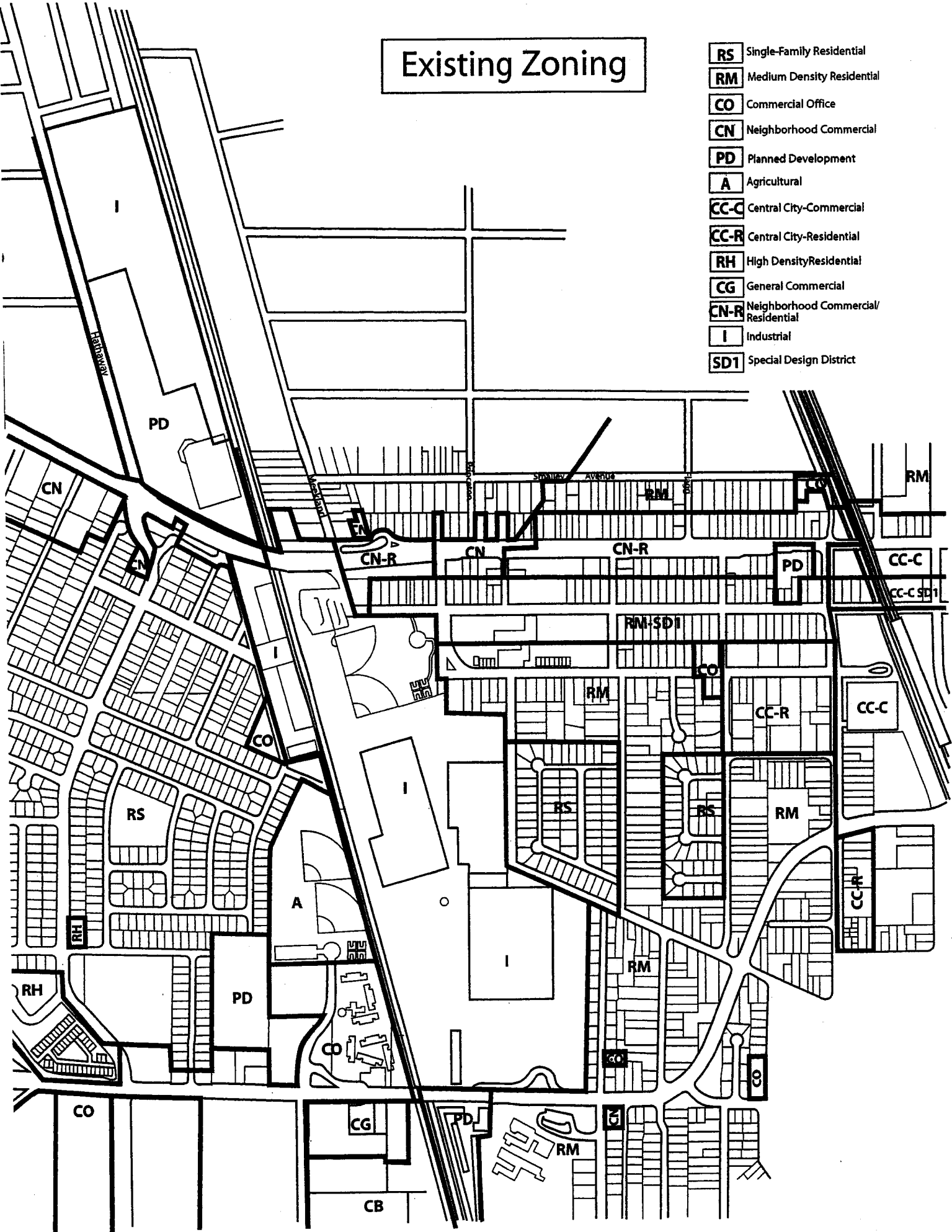
## General Plan Amendment

- HDR** High Density Residential
- ROC** Retail and Office Commercial
- MDR** Residential Medium Density
- P-QP** Public/Quasi Public
- OS P&R** Open Space - Park & Recreation
- MI** Mixed Industrial



# Existing Zoning

- RS** Single-Family Residential
- RM** Medium Density Residential
- CO** Commercial Office
- CN** Neighborhood Commercial
- PD** Planned Development
- A** Agricultural
- CC-C** Central City-Commercial
- CC-R** Central City-Residential
- RH** High Density Residential
- CG** General Commercial
- CN-R** Neighborhood Commercial/Residential
- I** Industrial
- SD1** Special Design District



# Cannery Area Design Plan

## Zoning Change

**SD-4** Special Design Overlay District

**PF** Public Facilities

**OS** Open Space

**RM** Medium Density Residential

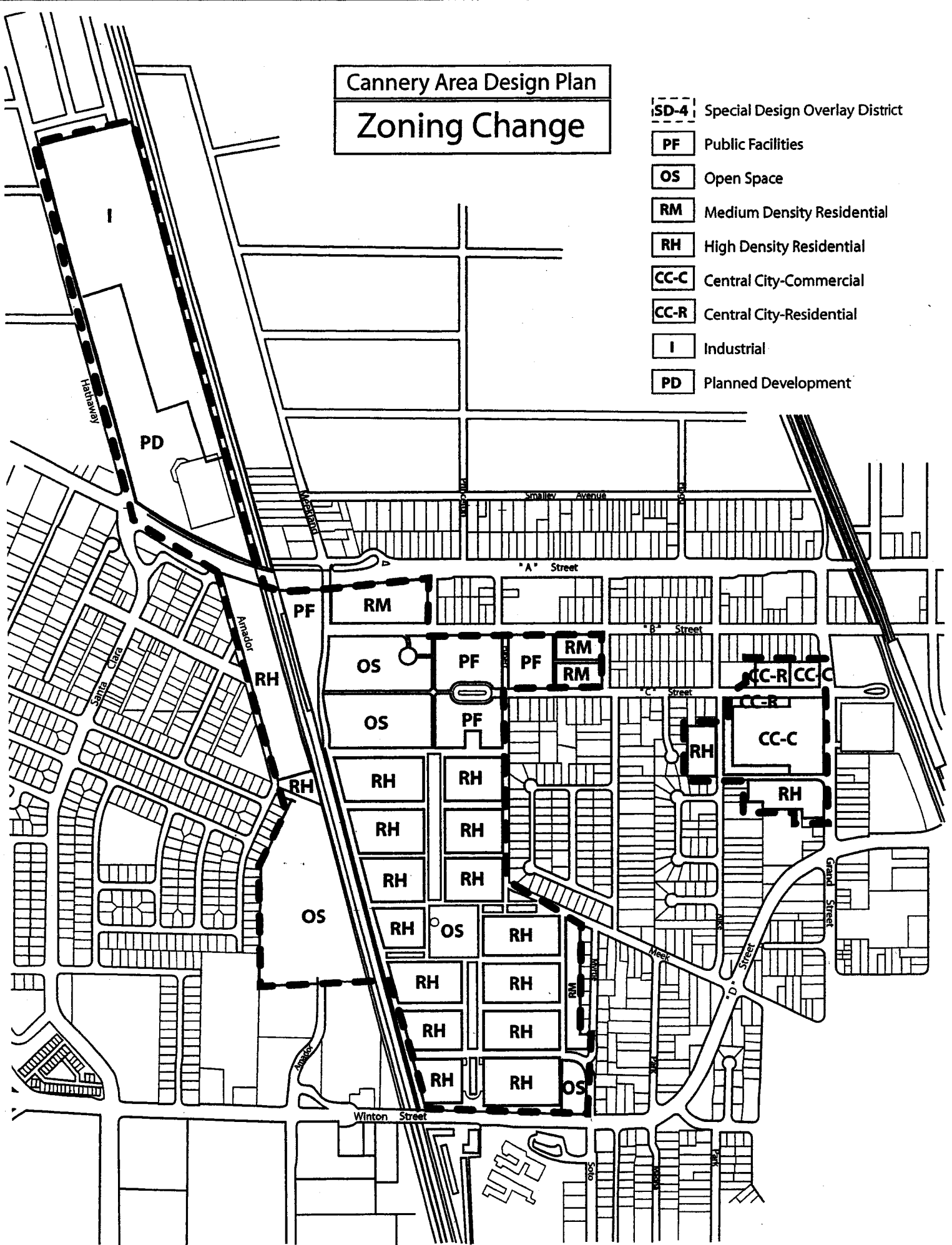
**RH** High Density Residential

**CC-C** Central City-Commercial

**CC-R** Central City-Residential

**I** Industrial

**PD** Planned Development



**D R A F T****Revised July 19, 2001****SECTION 10-1.2625 CANNERY AREA SPECIAL DESIGN DISTRICT (SD-4)**

Consistent with the General Plan, the purpose of the Cannery Area Special Design District (SD-4) is to implement policies embodied in the Cannery Area Design Plan. The Cannery Study Area contains older industrial uses that are surrounded by residential areas. The Design Plan envisions conversion of these industrial uses to commercial uses, residential uses, or mixed uses, as appropriate. The following design requirements shall apply to the Cannery Area Special Design District (SD-4).

**a. Design Theme.**

The overall layout and design of development proposed within this district shall be consistent with the provisions of the Cannery Area Design Plan.

**b. Administrative Use Permits.**

Pursuant to requirements of the Industrial (I) District, any industrial use(s), or uses determined to be similar by the Planning Director, located on a parcel(s) which abuts an R, A, MH, OS or residential PD zoning district, shall require the approval of an Administrative Use Permit.

**c. Block Pattern and Street Layout.**

The overall block pattern and street layout in proposed developments shall conform to the Design Concept as contained in the Cannery Area Design Plan. The design of streets and the width of the public right-of-way shall be consistent with the Park and Street Network and Street Sections and Plans as contained in the Cannery Area Design Plan.

**d. Development Densities.**

Densities of new development shall be consistent with the applicable General Plan designations and shall further conform to the densities specified in the Land Use plan as contained in the Cannery Area Design Plan.

**e. Live-Work Spaces.**

Live-work developments shall be located within the designated blocks as indicated in the Cannery Area Design Plan. The design of live-work developments shall be consistent with the guidelines for Typical Blocks as contained in the Cannery Area Design Plan and with any ordinances or other guidelines that may be subsequently adopted by the city.

f. **Building Setbacks.**

The required setback for new development shall be 10' as indicated by the Build-to-Line shown on the Design Concept and Land Use maps in the Cannery Area Design Plan. Architectural features such as cornices, eaves, open porches, bay windows, and canopies may extend into the required front yard.

g. **Parks and Open Space.**

Parks and other open space proposed within new developments shall be consistent with the Park and Street Network as contained in the Cannery Area Design Plan.



## FINDINGS FOR APPROVAL

### **Actions Related to the Cannery Area Design Plan**

#### Certification of the Final Environmental Impact Report

1. The Final Environmental Impact Report (FEIR) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the City's implementing guidelines.
2. The FEIR describes existing environmental conditions within and adjacent to the proposed project area and identifies potentially significant impacts.
3. The FEIR includes measures for incorporation in the proposed project to mitigate anticipated environmental impacts to a level of insignificance or eliminate them entirely.
4. The FEIR identified and analyzed feasible alternatives to the proposed project, assessed the cumulative impacts of this and other projects on the environment, and addressed other mandatory elements as required by CEQA.
5. The FEIR contains written responses to comments received on the Draft EIR during the official review period.
6. The FEIR is a Program EIR, in that it describes general impacts and mitigation measures, and additional environmental reviews may be required for subsequent development projects.

#### Adoption of General Plan Amendment No. 01-110-03

1. The proposed General Plan Amendment is consistent with the goals and policies of the City of Hayward General Plan.
2. The proposed Amendment further implements the land use, housing and open space policies and strategies of the General Plan with regard to the Cannery Study Area.
3. The proposed Amendment will assist in creating a more favorable balance of jobs and housing within the City of Hayward.

Adoption of Special Design (SD-4) District Text Change No. 01-140-01

1. The proposed text change will promote the public health, safety, convenience, and general welfare of the residents of the surrounding neighborhoods by providing for the review of proposed development to ensure compatibility with existing and future development.
2. The proposed text change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans.
3. The proposed text change will assist in ensuring that streets and public facilities existing or proposed are adequate to serve all uses permitted by the Cannery Area Design Plan.
4. All uses permitted will be comparable with present and potential future uses, and further, a beneficial effect will be achieved which is not obtainable under existing conditions.

Adoption of Zone Change No. 01-190-04

1. The proposed zone change will promote the public health, safety, convenience, and general welfare of the residents of the surrounding neighborhoods and the City of Hayward by providing for the orderly transition of older industrial uses within the Cannery Study Area to residential, commercial and open space uses, and promoting transit-oriented development in close proximity to major transit stations.
2. The proposed zone change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans.
3. Existing and proposed streets and public facilities, including schools and parks, are adequate to serve all uses permitted by the Cannery Area Design Plan.
4. All uses permitted will be comparable with present and potential future uses, and further, a beneficial effect will be achieved which is not obtainable under existing conditions.

### Adoption of Cannery Area Design Plan

1. The Design Plan is consistent with policies of the City of Hayward General Plan.
2. The Design Plan will further the goals of providing for the orderly development of the community and promoting transit-oriented development.
3. The Design Plan contains specific design guidelines for new development within the project area that will create a pedestrian-friendly environment, promote well-designed quality development, and enhance the appearance of the neighborhood.

**CANNERY AREA DESIGN PLAN DRAFT  
ENVIRONMENTAL IMPACT FINAL REPORT  
(PREVIOUSLY DISTRIBUTED TO THE CITY COUNCIL)**

**EXHIBIT I**

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# *Final* **Environmental Impact Report**

*Project*  
**Hayward Cannery Area Design Plan  
And related General Plan Amendment/  
Zone Change**

**SCH#  
2001032099**

**Lead Agency:  
City of Hayward**

**July 2001**

This exhibit is available in the City  
Clerk's Office

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**EXHIBIT J**

Due to the length of the additional exhibits, they are not available for website viewing. The report, in its entirety, is available in the City Clerk's Office, Planning Division, and at the Main Library.



in together.

#### **5. Cannery Area Design Plan and Related Amendments to the General Plan and Zoning Ordinance**

Senior Planner Calame described the Cannery Area, noting in particular the various sub-areas and the plans. He asked for the following recommendations to the City Council: certification of the Final Environmental Impact Report; Adoption of the General Plan Amendment; Adoption of the Special Design (SD-4) District which is an over-lay text; adoption of the Zone changes; Adoption of the Cannery Area Design Plan itself as design guidelines for the area; and then adoption of the Mitigation Monitoring and Reporting Program which reflects the mitigation measures identified in the Environmental Impact Report. He noted Environmental and Mitigation Impact Measure 4.6-4, and suggested that staff would propose is that in front of the Mitigation Measure you add the words, "If necessary..."

Commissioner Zermeño asked how strong the possibility for a community center would be and whether any homes would be removed.

Director of Community and Economic Development Ehrenthal described the existing school site that would be available for the community center and noted that some current homes where the proposed school site is would have to be acquired, as well as some in the Cannery Court area.

Commissioner Halliday asked for clarification as to which zoning would take precedence, that in the zoning regulations or that in the Plan. She was told that according to the development densities portion of the special design overlay, development densities shall be consistent with the applicable General Plan designations and shall further conform to the densities specified in the land use plan.

Chairperson Caveglia than opened the public hearing at 10:15 p.m.

Brian Millar, representing ConAgra Foods, said they looked at environmental issues. He said the response to comments in the EIR did not adequately respond to their concerns. He noted that the project description does not describe existing conditions. He commented that it clearly creates a challenge that does not meet the intent of CEQA. There is a significant displacement question. The mitigation measures do not respond with only Redevelopment Agency. He felt there should be an opportunity to come back with further information.

Jim Doyle, also representing ConAgra Foods, largest landowner in the area, noted that the concerns cited do not address the concerns of the landowners. He commented on the Live-Work designation on ConAgra property, and that there is no discussion of why it is there and whether this is the best use of that land. He said they also question the way the green space is laid out. He suggested that other layouts for streets and phasing and financing be considered

**DRAFT**

since owners in the area have very little information. He stated that none of the land owners have been asked to sit at the table to decide on the Master Developer.

Mike Oliver, also representing ConAgra, asked about owner participation in the process. He said they were concerned that there is no financial plan, and also concerned about public improvements. He noted that Con-Agra should have an active role in this activity. He said their concern was regarding the type of land-use proposed for this area, since it is untried. The unknown factor is what the marketplace in this area would tolerate. He noted that ConAgra agrees that something is going to be done.

In response to Commissioner Sacks question regarding how they have not been included, Mr. Oliver responded that they had no input in the request for a master developer. He noted that there is a complete process outlined in Redevelopment Law.

Carl Costa, Hayward, said he is excited about this proposal. He described several areas of concern with regard to land-use and open space. He noted that Centennial Park was deeded only for recreation. He suggested that it might be nice if those who lose their homes were able to bid on the new housing in the area.

Senior Planner Calame indicated that there might be a possibility for the residents who are displaced to buy into the new housing.

Yvonne Darden owns a townhome in the County which coincides with Hathaway. She cited their main problem is with unevenness of the area. She said she was requesting the City to do something with the unsightliness of the buildings on Hathaway. She commented that she was in favor of this development for subarea 1.

Anne Terrasas, a homeowner living adjacent to Centennial Park, was displeased that as 30-year residents, she and her neighbors were not included in the meetings. She suggested that invitations to meetings be sent to all of the residents on the west as well as the eastside of the railroad tracks since they will be equally affected by the development. She also asked that bilingual information to be made available for the Spanish-speaking residents. She thanked City Clerk Reyes for her efforts in making a Spanish notice available for this meeting. She urged them to remove Centennial Park from the plan.

Senior Planner Calame said that staff has been building up a mailing list from all of the public meetings. He commented that zoning and changes do not reflect housing as part of the park.

Barbara Heringer-Swarr, asked whether this is another 45-year Redevelopment Project. She commented that the amount of land in the redevelopment district would require a great many government services. She added that this plan is much nicer than previous proposals since it doesn't take many homes away.

Chairperson Caveglia commented that with a Redevelopment District in place there are various ways to fund services than would normally be available.

Art Torrez, Santa Clara Street and a longtime resident of Hayward, stated that this issue is





important. He wondered about the proposal since, in his opinion, the City of Hayward is literally falling apart. We are way behind Union City. The information is difficult to understand. He noted that he is opposed to what is being suggested at this point.

Judy Ybarra, Santa Clara Street, said she did not receive the notice of the meeting and commented that trucks are a great concern in their area.

The public hearing was closed at 10:57 p.m.

Commissioner Thnay commented on the zoning changes specifically for housing.

Commissioner Sacks asked about the Park District notation, "Absent community support..." She also commented on the Live-Work not presently not incorporated into the ordinance. She was told that the Live/Work ordinance would be in place shortly. She then **moved**, seconded by Commissioner Williams, to recommend t the City Council, subject to the attached findings, the six staff recommendations.

Commissioner Williams asked whether staff had responded to the comments in the letter from the Pat McGill letter. He was told that those concerns were not directly germane to the environmental report.

Commissioner Halliday said she was basically in support of the motion. She also expressed concern that people did not feel they were informed about the meetings. She offered an amendment to ask Council to redesignate live/work as high density residential with limits and to consider lower denisity levels, since so much of this land is high density residential. This was taken as a substitute motion which included all of the original motion and was seconded by Commissioner Bogue.

Commissioner Zermefio said he was concerned with non-notification in the area. He thought staff should be more careful of the system used. He emphasized that the neighbors do not want any homes in Centennial Park.

Commissioner Thnay suggested that staff send to ConAgra further information on live-work success stories. He said his two main concerns are with the rezoning of the area for high density; and proposing increased Amtrak use but not proposing increased parking for the station or a shuttle between BART and Amtrak. He said he believed it was a very good project.

Commissioner Williams commented that with all the changes, there will be satisfied and non-satisfied people. Staff has made every effort to include everyone. This plan is more of a concept from which to review. He agreed that this is a good idea for the future of the City of Hayward.

Commissioner Bogue asked to have included the staff recommendation in the mitigation measure adding, "If necessary..."

Commissioner Sacks apologized to those people who had not been noticed for the meetings, although she encouraged everyone to look carefully for notices. She also thanked everyone for coming.

The substitute motion failed by the following vote:

AYES:	COMMISSIONERS Bogue, Halliday
NOES:	COMMISSIONER Sacks, Williams, Zermeno
	CHAIRPERSON Caveglia
ABSENT:	None
ABSTAIN:	Thnay

The original motion passed 6:1, with Commissioner Bogue voting "No".

#### **ADDITIONAL MATTERS**

6. Oral Report on Planning and Zoning Matters

No reports were made.

7. Commissioners' Announcements, Referrals

No announcements were made.

#### **ADJOURNMENT**

The meeting was adjourned by Chairperson Caveglia at 11:35 p.m.

APPROVED:

Ed Bogue, Secretary  
Planning Commission

ATTEST:

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Edith Looney  
Commission Secretary

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION CERTIFYING PROGRAM ENVIRONMENTAL  
IMPACT REPORT, APPROVING MITIGATION  
MONITORING AND REPORTING PROGRAM, ADOPTING A  
DESIGN PLAN, MITIGATION MEASURES AND A  
GENERAL PLAN AMENDMENT FOR THE CANNERY  
AREA**

**WHEREAS, in 1998, the Cannery Area was added to the Downtown  
Redevelopment Plan, based on findings that conditions of blight existed in the area; and**

**WHEREAS, in June, 2000, the City Council imposed a one-year moratorium on  
certain types of development in the Cannery Area and directed staff to consult with the firm of  
Solomon E.T.C. and Cannery Area property owners and residents to develop a comprehensive  
Design Plan for the Cannery Area (hereinafter the "Cannery Area Design Plan"); and**

**WHEREAS, in the summer and autumn of 2000, the City conducted a series of  
workshops and meetings with members of the public, local property owners, the Hayward  
Unified School District and the Hayward Area Recreation District, through which five  
different design concepts for the Cannery Area were developed; and**

**WHEREAS, on December 12, 2000, the City Council selected the Cannery  
Area Design Plan as the preferred concept and directed staff to initiate the environmental  
review process and identify appropriate amendments to the General Plan and Zoning Ordinance  
for later consideration;**

**WHEREAS, the Cannery Area Design Plan, as proposed, encompasses three  
distinct older industrial subareas consisting of approximately 120 acres, as follows: Area 1 is  
generally bounded by West "A" Street, Hathaway Avenue, Mero Street and the Union Pacific  
Railroad tracks; Area 2 is general bounded by "A" Street , Amador Street, Winton Avenue,  
and the Myrtle/Meek/Filbert alignment; and Area 3 is generally bounded by Grand Street and  
those properties along both sides of "C" Street, Alice Street and Claire Street. The Cannery  
Area Design Plan envisions a mix of residential and commercial uses, including a new school  
and community center. To achieve the goals envisioned by the Cannery Area Design Plan, the  
General Plan and the Zoning Ordinance must be amended to change the Mixed Industrial  
designation for certain sections of Sub Areas 2 and 3 to High Density Residential, Medium  
Density Residential, and other designations, as appropriate; and**

WHEREAS, the changes to the land use policies for the Cannery Area are contained in a proposed amendment to the General Plan ("GPA No. 01-110-03"), including the General Plan Map designation changes depicted in Exhibit "A;" a text change to the Zoning Ordinance adding new design overlay district SD-4 ("Text Change No. 01-140-01"), as set forth in Exhibit "B"; and a zone change for certain portions of the Cannery Area to conform to the proposed amended General Plan ("Zone Change No. 01-190-04"), as illustrated in Exhibit "C;" and

WHEREAS, a draft and final Program Environmental Impact Report ("Program EIR") has been prepared to assess the potential environmental impacts of the proposed Cannery Area Design Plan, and related General Plan Amendment, Zone Change and Zoning Ordinance Text Change, describing alternatives to the Cannery Area Design Plan and potential mitigation measures; and

WHEREAS, the Planning Commission has considered the Program EIR and aforementioned applications at public hearings held on May 31, 2001, and July 12, 2001, and has recommended the City Council's certification of the Program EIR, the adoption of the proposed mitigation measures and Mitigation Monitoring and Reporting Program; the adoption of GPA No. 01-110-03, Text Change No. 01-140-01 and Zone Change No. 01-190-04; and the adoption of the Cannery Area Design Plan; and

WHEREAS, the City Council held a public hearing on July 24, 2001, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, the City Council hereby adopts the following findings and actions:

I. CANNERY AREA DESIGN PLAN. The Cannery Area Design Plan contains three distinct older industrial subareas consisting of approximately 120 acres, as follows: Area 1 is generally bounded by West "A" Street, Hathaway Avenue, Mero Street and the Union Pacific Railroad tracks; Area 2 is general bounded by "A" Street , Amador Street, Winton Avenue, and the Myrtle/Meek/Filbert alignment; and Area 3 is generally bounded by Grand Street and those properties along both sides of "C" Street, Alice Street and Claire Street. The Cannery Area Design Plan envisions a mix of residential and commercial uses, including a new school and community center. To achieve the goals envisioned by the Cannery Area Design Plan, the General Plan and the Zoning Ordinance must be amended.

A. General Plan Amendment. The General Policies Plan Map will be changed for portions of Areas 2 and 3. The "Mixed Industrial" land use designation in Area 2 will be changed to a combination of "High Density Residential," "Medium Density Residential," "Public/Quasi-Public" and "Open Space/Parks and Recreation." The General

Plan Land Use Map will also change the "High Density Residential" and "Retail and Office Commercial" designations within Area 3.

A. Zoning Ordinance Changes. The Zoning Ordinance Text Change will establish a design overlay district within the Cannery Area to provide an orderly transition from industrial land uses to residential and commercial land uses. The design overlay district will prohibit significant expansion of existing uses and buildings without the approval of a use permit. The Zone Change will revise the existing zoning classifications in portions of Areas 2 and 3 to conform to the new General Policies Plan Map designations. Properties in Area 2 that are currently within the Industrial District will be rezoned to the Residential-High Density District, the Residential Medium Density District, Public Facilities District and Open Space District, or other districts, as appropriate.

Further information about the proposed development contemplated by the Cannery Area Design Plan may be found in the staff reports presented to the City Council and the Program EIR, as well as other documents maintained by City staff.

II. PROGRAM EIR CERTIFICATION. The City Council has reviewed the documents comprising the Draft and Final Program EIR for the Cannery Area Design Plan, and the related General Plan Amendment and Zoning Ordinance changes and hereby finds that such Program EIR reflects the independent judgment of the City Council and its staff, is an adequate and extensive assessment of the environmental impacts of the Cannery Area Design Plan. Accordingly, the City Council hereby certifies such Program EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"). The City Council also incorporates by this reference the findings contained in the Program EIR as to the environmental effects of the Cannery Area Design Plan, together with the additional findings contained in this Resolution.

III. CONSIDERATION OF PROJECT ALTERNATIVES. The Program EIR reviewed four alternatives in addition to the Cannery Area Design Plan, as follows:

- No Build/No Project Alternative. This alternative assumes that the Cannery Area Design Plan and the related actions are not approved, leaving intact the existing General Plan designations and zoning classifications. This alternative assumes that existing buildings and land uses would remain in their current conditions and no development of any kind would occur.
- Alternative 2 (Housing and Commercial Office). This alternative emphasizes office uses rather than residential development in selected blocks. While this alternative would provide for more employment opportunities and lessen the impact on school enrollment capacities, it would reduce the potential for new housing and inhibit the City's ability to meet its housing needs and improve the local jobs/housing balance.

- Alternative 3 (Medium High Density Residential). This alternative would lower residential densities in selected blocks. While this alternative would lessen the impact on school enrollment capacities, it would also reduce the potential for new housing and inhibit the City's ability to meet its housing needs and improve the local jobs/housing balance.
- Alternative 4 (Combination of Alternatives 2 and 3). This alternative would generate the impacts associated with both Alternative 2 and Alternative 3. This alternative would have the least impact on school enrollment capacities yet also create the least potential for additional housing units that could assist the City in meeting its housing need goals and improving the local jobs/housing balance.

The City Council finds that the environmentally superior alternative is the No Project alternative because there would be no change in land use in the Cannery Area. However, the four alternatives to the proposed Cannery Area do not fulfill other City objectives, such as expanding the supply of owner-occupied housing and increasing the variety of housing stock, major improvements to local parks, reconstruction of the neighborhood school, separation of regional and local traffic and the addition of neighborhood services through the redevelopment of underutilized industrial land. Accordingly, approval of No Project and other alternatives are rejected as infeasible because these alternatives will not fulfill the City objectives which will be advanced by implementation of the Cannery Area Design Plan.

IV. GENERAL PLAN AMENDMENT. Accordingly, based on the foregoing findings, the City Council hereby determines that it is in the public interest and hereby approves and adopts the General Plan amendment contained in GPA No. 01-190-04, changing the existing General Policies Plan Map in portions of Areas 2 and 3 as set forth in Exhibit "A" attached hereto and incorporated by reference.

V. CANNERY AREA DESIGN PLAN. Based on the foregoing findings, the City council hereby determines that it is in the public interest and hereby approves and adopts the Hayward Cannery Area Design Plan attached hereto as Exhibit "A" and incorporated herein by reference.

VI. MITIGATION MEASURES. The City Council also finds that the proposed mitigations set forth in the EIR for the Cannery Area Design Plan and the accompanying Mitigation Monitoring and Reporting Program will reduce all of the environmental impacts of the Proposal to an insignificant level. The City Council accordingly approves the mitigation measures and Mitigation Monitoring and Reporting Program as conditions of approval of the Cannery Area Design Plan, and requires the development of the Cannery Area and issuance of development approvals which may be issued in the future to incorporate the mitigation measures set forth in the Mitigation Monitoring and Reporting Program.

VII. ADMINISTRATIVE RECORD. A copy of the Program EIR, staff reports and communications to the Planning Commission and City Council are on file in the office of the City Clerk. In addition, other documents comprising the administrative record in this matter are on file in the office of the Community and Economic Development Department.

VIII. EFFECTIVE DATE. All policies approved by this Resolution shall take effect thirty days after this Resolution is adopted.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ZONING MAPS A6 AND B6  
OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD  
MUNICIPAL CODE BY REZONING CERTAIN TERRITORY  
LOCATED IN THE CANNERY AREA

NOW, THEREFORE, the City Council of the City of Hayward does ordain as follows:

Section 1.     FINDINGS. Zone Change Application No. 01-190-04 concerns the reclassification of certain parcels located within the City of Hayward, in the area commonly known as the Cannery Area, in connection with the approval of the General Plan amendment known as GPA No.01-110-03; and the adoption of the Cannery Area Design Plan pursuant to the approval of Resolution No. \_\_\_\_\_. A special design overlay district known as SD-4 has been established pursuant to the approval of Text Change Application No. 01-140-01 by the adoption of Ordinance No. \_\_\_\_\_. The City Council incorporates by reference the findings and approvals contained in companion Resolution No. \_\_\_\_\_. In addition, the City Council also finds and determines as follows:

- A.     The City Council's findings regarding the environmental impacts of the proposed rezoning and prezonning which are conditionally approved by this ordinance are set forth in Resolution No. \_\_\_\_\_.
- B.     Substantial proof exists that the proposed zone changes will promote the public health, safety, convenience, and general welfare of the residents of Hayward by rezoning properties to enable implementation of the Cannery Area Design Plan approved by Resolution No. \_\_\_\_\_.
- C.     The proposed zone changes are in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans, including the General Plan, as amended, and the Cannery Area Design Plan, as approved by Resolution No. \_\_\_\_\_.
- D.     Streets and public facilities existing or proposed are adequate to serve all uses permitted, based on the infrastructure requirements contained in the Cannery Area Design Plan;
- E.     All uses permitted will be compatible with present and potential future uses.

Section 2.     SCOPE. This ordinance pertains to the rezoning of the properties located in the Cannery Area Design Plan.



Section 3. ZONE CHANGES. Zoning District Map A6, contained in Section 10-1.126, and Zoning District map B6, contained in Section 10-1.136 of Chapter 10, Article 1 of the Hayward Municipal Code are hereby amended to re-zone the properties as set forth in Exhibit "A" incorporated herein by reference.

Section 4. EFFECTIVE DATE. This ordinance shall become effective on the effective date of the General Plan Map designation changes for the Cannery Area Design Plan adopted by Resolution No. \_\_\_\_\_.

Section 5. SEVERANCE. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

INTRODUCED at a regular meeting of the City Council of the City of  
Hayward, held the \_\_\_\_ day of \_\_\_\_\_, 2001, by Council Member\_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward  
held the \_\_\_\_ day of \_\_\_\_\_, 2001, by the following votes of members of said City  
Council.

AYES:

NOES:

**ABSTAIN:**

**ABSENT:**

**APPROVED:** \_\_\_\_\_  
Mayor of the City of Hayward

**DATE:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_  
City Clerk of the City of Hayward

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney of the City of Hayward

W:\ORDINAN\Zoning\ZC 01-190-04 (Cannery Area).wpd

# CITY OF HAYWARD

## Cannery Area Proposed New Zoning Designations

*Listed By Parcel and Sorted by Zoning Designation*

Parcel APN Number	New Zoning Designation	(Other Zoning Designation*)
431-0024-003-00	PF SD-4	
431-0024-004-00	PF SD-4	
431-0024-005-00	PF SD-4	
431-0024-006-00	PF SD-4	
431-0024-007-00	PF SD-4	
431-0024-008-00	PF SD-4	
431-0024-009-00	PF SD-4	
431-0024-001-00	PF SD-4	RM SD-4
431-0040-045-00	RH SD-4	
431-0040-046-00	RH SD-4	
431-0040-047-00	RH SD-4	
431-0040-048-00	RH SD-4	
431-0040-049-00	RH SD-4	
431-0040-050-00	RH SD-4	
431-0040-051-00	RH SD-4	
431-0040-052-00	RH SD-4	
431-0040-053-00	RH SD-4	
431-0040-054-00	RH SD-4	
431-0040-055-00	RH SD-4	
431-0036-063-00	RH SD-4	
431-0036-064-00	RH SD-4	
431-0036-065-00	RH SD-4	
431-0036-066-00	RH SD-4	
431-0056-078-00	RH SD-4	
431-0056-077-00	RH SD-4	
431-0088-004-00	RH SD-4	
431-0088-001-07	RH SD-4	
431-0020-001-05	RH SD-4	OS SD-4
431-0060-002-09	RH SD-4	OS SD-4
431-0060-001-04	RH SD-4	OS SD-4
431-0024-010-03	RH SD-4	PF SD-4
431-0060-002-08	RH SD-4	OS SD-4/RM SD-4
431-0056-079-00	OS-SD-4	
431-0056-080-00	OS-SD-4	
431-0056-081-00	OS-SD-4	
431-0056-082-00	OS-SD-4	
431-0084-003-00	OS-SD-4	
431-0084-002-00	OS-SD-4	

\* Other Zoning Designation on Parcels with more than one zoning classification.

Parcel APN Number	New Zoning Designation	(Other Zoning Designation*)
431-0020-001-04	OS-SD-4	PF SD-4
431-0016-088-00	RM SD-4	
431-0016-087-00	RM SD-4	
431-0016-086-00	RM SD-4	
431-0016-080-01	RM SD-4	
431-0016-084-00	RM SD-4	
431-0016-083-00	RM SD-4	
431-0016-082-00	RM SD-4	
431-0016-081-00	RM SD-4	
431-0016-080-01	RM SD-4	
431-0016-098-00	RM SD-4	
431-0016-097-00	RM SD-4	
431-0016-096-00	RM SD-4	
431-0016-095-00	RM SD-4	
431-0016-094-00	RM SD-4	
431-0016-093-00	RM SD-4	
431-0016-092-00	RM SD-4	
431-0016-089-02	RM SD-4	
431-0016-090-00	RM SD-4	
431-0016-090-00	RM SD-4	
431-0016-091-00	RM SD-4	
431-0056-069-00	RM SD-4	
431-0056-070-00	RM SD-4	
431-0056-071-00	RM SD-4	
431-0056-072-00	RM SD-4	
431-0056-073-00	RM SD-4	
431-0056-074-00	RM SD-4	
431-0056-075-00	RM SD-4	
431-0040-023-00	CC-C SD-4	
431-0040-024-02	CC-C SD-4	
431-0040-025-00	CC-C SD-4	
431-0040-026-00	CC-C SD-4	
431-0040-013-00	CC-C SD-4	
431-0040-017-00	CC-C SD-4	CC-R SD-4
431-0040-018-00	CC-C SD-4	CC-R SD-4
431-0040-019-00	CC-C SD-4	CC-R SD-4
431-0040-020-02	CC-C SD-4	CC-R SD-4
431-0040-021-01	CC-C SD-4	CC-R SD-4
431-0040-022-00	CC-C SD-4	CC-R SD-4
431-0040-027-00	CC-C SD-4	CC-R SD-4
431-0040-028-00	CC-C SD-4	CC-R SD-4
431-0040-029-00	CC-C SD-4	CC-R SD-4
431-0040-030-00	CC-C SD-4	CC-R SD-4
431-0040-031-00	CC-C SD-4	CC-R SD-4
431-0040-032-00	CC-C SD-4	CC-R SD-4
431-0040-033-00	CC-C SD-4	CC-R SD-4
431-0040-014-00	CC-R SD-4	

\* Other Zoning Desingation on Parcels with more than one zoning classification.

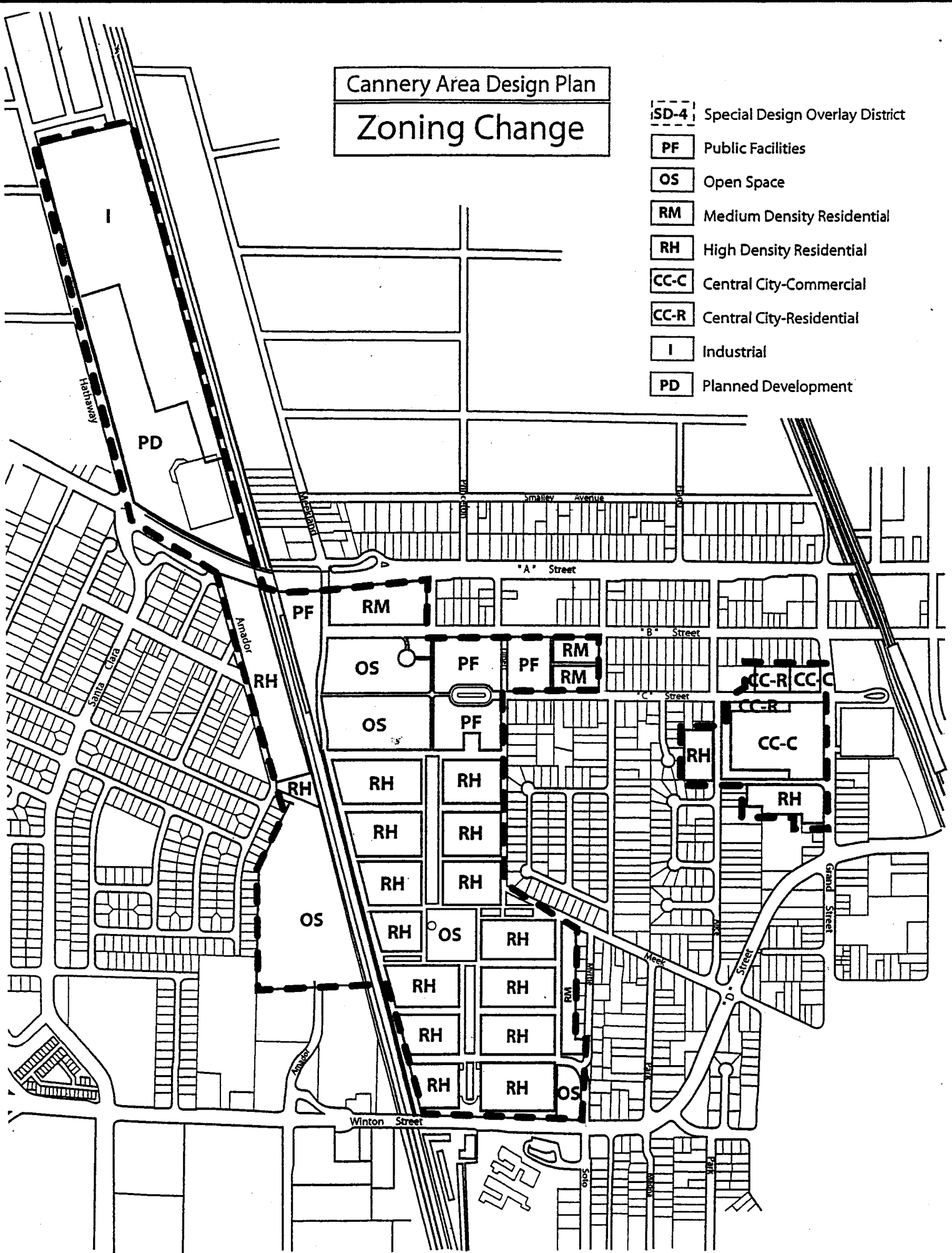
Parcel APN Number	New Zoning Designation	(Other Zoning Designation*)
431-0040-015-00	CC-R SD-4	
429-0068-001-01	I SD-4	
429-0068-001-02	I SD-4	
429-0073-001-08	I SD-4	
429-0073-001-11	I SD-4	
429-0082-001-07	I SD-4	
429-0073-057-00	PD SD-4	
429-0082-003-00	PD SD-4	

\* Other Zoning Designation on Parcels with more than one zoning classification.

# Cannery Area Design Plan

## Zoning Change

- SD-4** Special Design Overlay District
- PF** Public Facilities
- OS** Open Space
- RM** Medium Density Residential
- RH** High Density Residential
- CC-C** Central City-Commercial
- CC-R** Central City-Residential
- I** Industrial
- PD** Planned Development



# DRAFT

ORDINANCE NO. \_\_\_\_\_



AN ORDINANCE AMENDING THE ZONING ORDINANCE,  
CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL  
CODE, TO ESTABLISH A NEW SPECIAL DESIGN  
OVERLAY ZONING DISTRICT FOR THE CANNERY AREA

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS  
FOLLOWS:

Section 1. FINDINGS. The City Council incorporates by reference the findings and approvals contained in companion Resolution No. \_\_\_\_\_. The City Council also hereby finds and determines that:

- (a) This ordinance adopts text changes to the Zoning Ordinance, codified as Chapter 10, Article 1 of the Hayward Municipal Code ("HMC"), to establish a special design overlay district ("SD-4") for the Cannery Area:
- (b) The potential environmental impacts of this new district are assessed in the Program EIR certified by the City Council's adoption of Resolution No. \_\_\_\_\_.
- (c) Substantial proof exists that the proposed text change will promote the public health, safety, convenience, and general welfare of the residents of Hayward for the reasons set forth in Resolution No. 98-028.
- (d) The proposed text change is consistent with the General Plan conform with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans.
- (e) The adoption of this text change to the Zoning Ordinance does not constitute a reclassification of property; and
- (f) Existing streets and public facilities will not be impaired by the adoption of this ordinance, based on the data contained in the Cannery Area Design Plan Program EIR, and the provisions of the Cannery Area Design Plan.

Section 2. Text Changes. Chapter 10, Article 1 of the Hayward Municipal Code, is hereby amended to read as follows:

" SECTION 10-1.2625 CANNERY AREA SPECIAL DESIGN DISTRICT (SD-4)

Consistent with the General Plan, the purpose of the Cannery Area Special Design District (SD-4) is to implement policies embodied in the Cannery Area Design Plan. The Cannery Study Area contains older industrial uses that are surrounded by residential areas. The Design Plan envisions conversion of the industrial uses to commercial uses, residential uses, or mixed uses, as appropriate. The following design requirements shall apply to the Cannery Area Special Design District (SD-4)

a. **Design Theme.**

The overall layout and design of development proposed within this district shall be consistent with the provisions of the Cannery Area Design Plan

b. **Administrative Use Permits.**

Pursuant to requirements of the Industrial (I) District, any industrial use(s), or uses determined to be similar by the Planning Director, located on a parcel(s) which abuts an R, A, MH, OS or residential PD zoning district, shall require the approval of an Administrative Use Permit.

c. **Block Pattern and Street Layout.**

The overall block pattern and street layout in proposed developments shall conform to the Design Concept as contained in the Cannery Area Design Plan. The design of streets and the width of the public right-of-way shall be consistent with the Park and Street Network and Street Sections and Plans as contained in the Cannery Area Design Plan.

d. **Development Densities.**

Densities of new development shall be consistent with the applicable General Plan designations and shall further conform to the densities specified in the Land Use plan as contained in the Cannery Area Design Plan.

e. **Live-Work Spaces.**

Live-work developments shall be located within the designated blocks as indicated in the Cannery Area Design Plan.. The design of live-work developments shall be consistent with the guidelines for Typical Blocks as contained in the Cannery Area Design Plan and with any ordinances or other guidelines that may be subsequently adopted by the City.



f. **Building Setbacks.**

The required setback for new development shall be 10' as indicated by the Build-to-Line shown on the Design Concept and Land Use maps in the Cannery Area Design Plan. Architectural features such as cornices, eaves, open porches, bay windows, and canopies may extend into the required front yard.

g. **Parks and Open Space.**

Parks and other open space proposed within new developments shall be consistent with the Park and Street Network as contained in the Cannery Area Design Plan."

**Section 3.** In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of  
Hayward, held the \_\_\_\_\_ day of \_\_\_\_\_, 2001, by Council Member\_\_\_\_\_ .

ADOPTED at a regular meeting of the City Council of the City of Hayward  
held the \_\_\_\_\_ day of \_\_\_\_\_, 2001, by the following votes of members of said City  
Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward